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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/777,478	02/12/2004	Nicola Funnell	1578.607 (11758-US-PAT)	2295
54120 7590 11/14/2007 RESEARCH IN MOTION, LTD 102 DECKER CT. SUITE 180 IRVING, TX 75062			EXAMINER MANOHARAN, MUTHUSWAMY GANAPATHY	
			ART UNIT 2617	PAPER NUMBER
			MAIL DATE 11/14/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/777,478

Applicant(s)

FUNNELL, NICOLA

Examiner

Muthuswamy G. Manoharan

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 August 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/29/2007 has been entered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4 and 6-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over 3GPP (TS 25.331 v3.16.0 (2003-9)) (hereinafter Reference (A)) in view of Tohono (US 2003/0040312).

Regarding **claim 1**, Reference (A) teaches a method for handling system information in a mobile telecommunications system, the system comprising a network of a plurality of cells and at least one user equipment device, the method comprising, in the user equipment device:

receiving a system information block of type 11 (SIB 11) ("system Information Block type 12 (SIB 12)" in Section 8.1.1.6.11) relating to idle and connected mode (line

2, 14, and 22 in Section 8.1.1.6.11) and a system information block of type 12 (SIB 12) ("system Information Block type 12 (SIB 12)" in Section 8.1.1.6.12) relating to connected mode (line 1 in Section 8.1.1.6.12), each of the system information blocks of type 11 (SIB 11) and 12 including at least one system information block information element (lines 29-31 in Section 8.1.1.6.11) the information element related to a cell information list (lines 7-9, lines 24-28 and lines 31-32 in Section 8.1.1.6.11; lines 14-53 in Section 8.1.1.6.12) and having associated system information ("measurement identity", line 20 in Section 8.1.1.6.11);

identifying a same information element from each of SIB 11 and SIB 12 where each of the same information elements is related to at least one cell information list (lines 49-50 in Section 8.1.1.6.11); and

Reference (A) did not teach specifically arranging the user equipment device to apply certain received information elements in a defined order and applying the system information associated with the identified same information elements according to the defined order; wherein the order defined in the user equipment device specifies that system information associated with the information element from SIB 11 and the applying the system information associated with the information element from SIB 12.

However, Tohono teaches in an analogous art method of arranging the user equipment device to apply certain received information elements in a defined order and applying the system information associated with the identified same information elements according to the defined order; wherein the order defined in the user equipment device specifies that system information associated with the information

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element from active set and the applying the system information associated with the information element from candidate cell (active cell, candidate cell and then hand-over destination cell, Paragraphs [0056-0059]; Note: It is old and notoriously well known in the art that active cell or set corresponds to idle mode and therefore corresponds to SIB 11. Thus one skilled in the art would recognize the system information element of Tohona from SIB 11 and/or SIB 12).

Therefore, it would be obvious to one of ordinary skill in the art at the time of invention to use the method of arranging the user equipment device to apply certain received information elements in a defined order and applying the system information associated with the identified same information elements according to the defined order; wherein the order defined in the user equipment device specifies that system information associated with the information element from active set and the applying the system information associated with the information element from candidate cell in order to provide an efficient search strategy.

In view of above it is apparent that Reference (A) in view of Tohona teaches specifically arranging the user equipment device to apply certain received information elements in a defined order and applying the system information associated with the identified same information elements according to the defined order; wherein the order defined in the user equipment device specifies that system information associated with the information element from SIB 11 and the applying the system information associated with the information element from SIB 12.

Regarding **claim 2**, Reference (A) teaches a method according to claim 1, wherein the system information block information element is selected from the following system information block information elements; an information element relating to an intra-frequency cell information list (Section 10.3.7.33), an information element relating to an inter-frequency cell information list (Section 10.3.7.13) and an information element relating to an inter-Radio Access network (RAT) cell information list (Section 10.3.7.23).

Regarding **claim 3**, Reference (A) teaches a method according to claim 1 wherein the system information block information element is any of the following: "intra-frequency cell info list", "inter-frequency cell info list" and "Inter-RAT cell info list" (lines 28-30 in Section 8.1.1.6.11 and lines 8-10 in section 8.1.1.6.12).

Regarding **claim 4**, Reference (A) teaches user equipment device configurable for use in a mobile telecommunication's system, the system comprising a network of a plurality of cells ("cells" on Page 56, line 6) and at least one user equipment device ("UE" on Page 56, line 8), the user equipment device being arranged to carry out the steps of claim 1.

Regarding **claim 6**, Reference (A) teaches a method for handling system information in a user equipment device, the device enableable for use in a UMTS mobile telecommunications system, the system comprising a network of a plurality of cells and at least one user equipment device, the method comprising:

receiving a system information block of type 11 ("system Information Block type 12" in Section 8.1.1.6.11) and a system information block of type 12 ("system Information Block type 12" in Section 8.1.1.6.12), the system information block of type

11 relating to idle and connected mode (line 2, 14, and 22 in Section 8.1.1.6.11) and the system information block of type 12 relating to connected mode (line 1 in Section 8.1.1.6.12), each of the system information blocks (lines 7-9, lines 24-28 and lines 31-32 in Section 8.1.1.6.11; lines 14-53 in Section 8.1.1.6.12) including at least one system information block information element, the information element related to a cell information list (lines 29-31 in Section 8.1.1.6.11) and having associated system information ("measurement identity", line 20 in Section 8.1.1.6.11);

identifying a same information element in the system information block of type 11 and the system information block of type 12 where each of the same information elements relates to at least one cell information list (lines 49-50 in Section 8.1.1.6.11); and

Reference (A) did not teach specifically arranging the user equipment device to apply certain received information elements in a defined order and applying the system information associated with the identified same information elements according to the defined order; wherein the order defined in the user equipment device specifies that system information associated with the information element from system information block of type 11 and the applying the system information associated with the information element from system information block of type 12.

However, Tohono teaches in an analogous art method of arranging the user equipment device to apply certain received information elements in a defined order and applying the system information associated with the identified same information elements according to the defined order; wherein the order defined in the user

equipment device specifies that system information associated with the information element from active set and the applying the system information associated with the information element from candidate cell (active cell, candidate cell and then hand-over destination cell, Paragraphs [0056-0059]; Note: It is old and notoriously well known in the art that active cell or set corresponds to idle mode and therefore corresponds to SIB 11. Thus one skilled in the art would recognize the system information element of Tohona from SIB 11 and/or SIB 12).

Therefore, it would be obvious to one of ordinary skill in the art at the time of invention to use the method of arranging the user equipment device to apply certain received information elements in a defined order and applying the system information associated with the identified same information elements according to the defined order; wherein the order defined in the user equipment device specifies that system information associated with the information element from active set and the applying the system information associated with the information element from candidate cell in order to provide an efficient search strategy.

In view of above it is apparent that Reference (A) in view of Tohona teaches specifically arranging the user equipment device to apply certain received information elements in a defined order and applying the system information associated with the identified same information elements according to the defined order; wherein the order defined in the user equipment device specifies that system information associated with the information element from system information block of type 11 and the applying the

system information associated with the information element from system information block of type 12.

Regarding **claim 7**, Reference (A) teaches a method for handling system information in a user equipment device, the device enableable for use in a UMTS mobile telecommunications system, the system comprising a network of a plurality of cells:

Receiving at least one each of System information Block (SIB) 11 and SIB 12 each with one or more information elements (IEs) relating to any of "intra-frequency cell info list", "inter-frequency cell info list" and "Inter-frequency cell info list" (lines 28-30 in Section 8.1.1.6.11 and lines 8-10 in section 8.1.1.6.12; Section 8.1.1.4, lines 1-3; Section 8.5.23, lines 6-15).

Reference (A) did not teach specifically arranging the user equipment device to apply certain received information elements in a defined order and applying the system information associated with the identified same information elements according to the defined order; wherein the order defined in the user equipment device specifies that system information associated with the information element from SIB 11 and the applying the system information associated with the information element from SIB 12.

However, Tohono teaches in an analogous art method of arranging the user equipment device to apply certain received information elements in a defined order and applying the system information associated with the identified same information elements according to the defined order; wherein the order defined in the user equipment device specifies that system information associated with the information

element from active set and the applying the system information associated with the information element from candidate cell (active cell, candidate cell and then hand-over destination cell, Paragraphs [0056-0059]; Note: It is old and notoriously well known in the art that active cell or set corresponds to idle mode and therefore corresponds to SIB 11. Thus one skilled in the art would recognize the system information element of Tohona from SIB 11 and/or SIB 12).

Therefore, it would be obvious to one of ordinary skill in the art at the time of invention to use the method of arranging the user equipment device to apply certain received information elements in a defined order and applying the system information associated with the identified same information elements according to the defined order; wherein the order defined in the user equipment device specifies that system information associated with the information element from active set and the applying the system information associated with the information element from candidate cell in order to provide an efficient search strategy.

In view of above it is apparent that Reference (A) in view of Tohona teaches specifically arranging the user equipment device to apply certain received information elements in a defined order and applying the system information associated with the identified same information elements according to the defined order; wherein the order defined in the user equipment device specifies that system information associated with the information element from SIB 11 and the applying the system information associated with the information element from SIB 12.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Reference (A) in view of in view of Tohono (US 2003/0040312) and Laitinen et al. (hereinafter Laitinen) (US 6765891).

Regarding claim 5, the combinations of Reference (A) and Tohono teaches all the particulars of the claim 1, except a computer program product comprising program code means stored on a computer readable medium when the program is run on a computer. However, Laitinen teaches in analogous art, (Col. 4, lines 29-40) computer program product comprising program code means stored on a computer readable medium when the program is run on a computer. Therefore, it would be obvious to one of ordinary skill in the art at the time invention to implement the method using a computer program product comprising program code means stored on a computer readable medium when the program is run on a computer. This modification provides a method of implementation of Radio Resource Control protocol for the UE-UTRAN radio interface.

Response to Arguments


Applicant's arguments with respect to claims 1-7 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Muthuswamy G. Manoharan whose telephone number is 571-272-5515. The examiner can normally be reached on 7:00AM-2:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eng George can be reached on 571-272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


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